

Message Text

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PAGE 01 STATE 168609

21

ORIGIN EUR-12

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FM SECSTATE WASHDC

TO AMEMBASSY MOSCOW

C O N F I D E N T I A L STATE 168609

E.O. 11652:GDS

TAGS: EAIR,UR,US

SUBJECT: AEROFLOT LEGAL DIFFICULTIES

REF: MOSCOW 8922

1. FYI. GRAND JURY OF EASTERN DISTRICT COURT OF NEW YORK
DECISION ON INDICTMENT OF AEROFLOT FOR ILLEGAL SALE IN PARIS
OF DISCOUNTED TICKETS FOR FLIGHTS TO US CAN BE EXPECTED BY
BEGINNING OF AUGUST. IF INDICTED AND CONVICTED, AEROFLOT
WOULD BE LIABLE FOR PAYMENT OF \$5,000 FINE ON EACH COUNT.
END FYI.

2. IF SOVIETS AGAIN RAISE THIS QUESTION IN MOSCOW, EMBASSY
AUTHORIZED TO EXPLAIN THAT CHARGE ARISES OUT OF LAST YEAR'S
NONDISCRIMINATORY INVESTIGATION OF ALL AIRLINES FLYING THE
NORTH ATLANTIC AND THAT DEPARTMENT HAS NO INFLUENCE UPON
OUTCOME OF CASE. THEREFORE, SOVIET THREAT OF RETALIATION
AGAINST PANAM WOULD NOT AVERT POSSIBLE INDICTMENT OF AERO-
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PAGE 02 STATE 168609

FLOT AND, IF CARRIED OUT, WOULD HAVE NEGATIVE IMPACT ON US/

USSR BILATERAL AVIATION RELATIONS. ANY PAST IRREGULARITIES IN PAN AMERICAN'S CONDUCT WERE CONSEQUENCE OF AEROFLOT'S REFUSAL OF TICKET SERVICES AND SOVIET ADMINISTRATIVE HARASSMENT AND ARE IN NO WAY COMPARABLE TO VIOLATIONS BY AEROFLOT, WHOSE LARGE SALE OF TICKETS IN THE US HAS NOT BEEN RESTRICTED. IN SUPPORT OF THIS POSITION, EMBASSY MAY POINT OUT THAT AEROFLOT IS OUTCARRYING PANAM BY ALMOST THREE TO ONE ON SCHEDULED FLIGHTS ALTHOUGH THE GREAT MAJORITY OF THE PASSENGERS ARE AMERICANS.

3. DEPARTMENT WOULD APPRECIATE UPDATE ON CURRENT AEROFLOT COMPLIANCE WITH PROVISIONS OF CIVIL AIR TRANSPORT AGREEMENT REGARDING PROVISION OF TICKETING SERVICES IN USSR FOR PANAM. KISSINGER

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